Single Bench

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH:BILASPUR

Civil Revision No. 78 /2004.

REVISIONISTS APPLICANTS : 1. Smt. Usha Devi W/o late Nathan Sharma, aged about 35 years, R/o Behind Ram Mandir Labour Camp Jamul, Teh. & Distt.Durg (C.G.).

2. Chandra Shekhar S/o late Nathan Sharma, aged about 10 years.

3. Kumari Priya, aged about 9 years D/o late Nathan Sharma.

4. Chandrakant, aged about 4 years S/o late Nathan Sharma.

Revisionist Nos.2 to 4 Minor through mother Natural Guardian Revisionist No.1. The Revisioners No.1 to 4 are applicants in original Succession Suit No.50 of 1998 pending before the court of Shri Rajesh Shrivastava, IIIrd Civil Judge, Class I, Durg (C.G.)

P. R. No. 998 dtd. Presented by Shri U.Ram. Ramley dated 13.8.04

Versus

RESPONDENTS NON-APPLICANTS : 1. Shri Rajdeo Sharma S/o late Agrahit Sharma, aged about 35 years R/o village Diliyan, P.O. Quath, Distt. Rohtas (Bihar).

2. Public in General (who claim regarding interest, debt in connection with the properties left by deceased Nathan Sharma)

....contd.....

(5)

RS 3. Chandra Prasad S/o late Agrahit Prasad Sharma, Qr.No.294 A.C.C. colony Jamul Distt. Durg (C.G.)

Status - Non-applicants No.1 to 3 in Succession Case No. 50/98.

CIVIL REVISION U/S 115 OF CIVIL PROCEDURE CODE

(38)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक C.R. No. 78/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	17-01-2005. Shri Uttam Pandey, counsel for the applicants. Shri N.S. Dhurandhar, counsel for non-applicant No.2. Heard. This revision has been filed under Section 115 of C.P.C. against the order dated 10-02-2004, passed by 3rd Civil Judge, Class-I), Durg, in Succession Case No.50/98. In view of the judgment of Hon'ble Apex Court in the case of **Shiva Shakti Co-operative Housing Society, Nagpur Vs. M/s Swaraj Developers & Others,** reported in **JT 2003 (4) SC 255,** learned counsel for the applicants wants to withdraw this revision petition with liberty to avail the remedy under the law. The revision petition is dismissed as withdrawn. The applicants may avail the remedy under the law. Consequently, M.C.P.No.577/2004 stands disposed of. Sd/- Fakhruddin Acting Chief Justice	